

AUG 09 2005

Appl. No. 09/488,728
Terminal Disclaimer filed with
Amdt. and Reply dated August 9, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Anthony B. Troutt

Serial No.: 09/488,728

Group Art Unit No.: 1646

Filed: January 20, 2000

Examiner: D. Jiang, Ph.D.

For: Methods of Treating Ulcerative Colitis and Crohn's Disease Using IL-17 Receptor Proteins
(as amended)

Docket No.: 2623-B

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PRIOR PATENT**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Petitioner, Immunex Corporation is the owner of the entire interest in the instant application.

Petitioner hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U. S. Patent No. 6,680,057, and hereby agrees that any patent so granted on said above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U. S. Patent No. 6,680,057, this agreement to run with any patent granted on said above-identified application and to be binding upon the grantee, its successors, or assigns.

Petitioner does not disclaim any terminal part of any patent granted on said above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of U. S. Patent No. 6,680,057 in the event that said U. S. Patent No. 6,680,057 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a re-examination certificate, is reissued, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Copies of the assignment documents in the chain of title from the original owner to assignee are attached, and were recorded in the U. S. Patent and Trademark Office at reel 8956 and frame 0362.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on the date appearing below.

Aug. 9, 2005
Date

Spence W. Hartman
Signature

Appl. No. 09/488,728
Terminal Disclaimer filed with
Amdt. and Reply dated August 4, 2005

The undersigned has reviewed the attached assignment documents and certifies that, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



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